

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott E. ANDERSEN *et al.*

Appln. No.: 09/553,094

Filed: April 18, 2000

For: Nucleic Acid Molecules and Other Molecules Associated with Plants

Confirmation No.: 4263

Art Unit: 1631

Examiner: Marjorie A. Moran

Atty. Docket: 16517.272

Express Abandonment Under 37 C.F.R. § 1.138(a)

Mail Stop Express Abandonment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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JAN 17 2006

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Applicants request that U.S. Application Serial No. 09/553,094 be expressly abandoned under 37 C.F.R. § 1.138(a) upon entry of the Amendment filed January 6, 2006.

Applicants note that a continuation application based on the above-identified application was filed on January 11, 2006.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below. The undersigned is an attorney of record and therefore has authority to expressly abandon the above-captioned U.S. application.

Respectfully submitted,



David R. Marsh, Reg. No. 41,408

Arnold & Porter LLP

555 Twelfth Street, N.W.

Washington, DC 20004

Tel: 202-942-5000

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Filed: January 17, 2006

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I hereby certify that this transmittal and the attached Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention Dianne Magee) via facsimile number 571-273-0299.


David R. Marsh (Reg. No. 41,408)January 17, 2006
Date

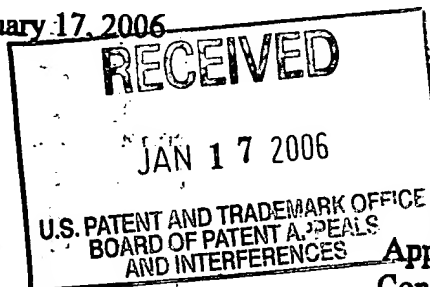
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Washington, DC 20004-1206

January 17, 2006

VIA FACSIMILE

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Appeal No. 2004-1406
Confirmation No. 4263

Re: U.S. Patent Application Serial No. 09/553,094 filed April 18, 2000
Inventors: Scott E. ANDERSEN *et al.*
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants
Atty. Dkt.: 16517.272 (38-21(15503)B/US)

Sir:

Transmitted herewith for appropriate action by the Board of Patent Appeals and Interferences is an Express Abandonment under 37 C.F.R. § 1.138(a).

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docketing number 16517.272.

Sincerely,

A handwritten signature in dark ink, appearing to read "D R Marsh".

David R. Marsh (Reg. No. 41,408)

Attachment

I hereby certify that this transmittal and the attached Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention Dianne Maggard) via facsimile number 571-273-0299.

A handwritten signature in dark ink, appearing to read "D R Marsh".
David R. Marsh (Reg. No. 41,408)January 17, 2006
Date

ARNOLD & PORTER LLP

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Fax Transmittal

JAN 17 2006

January 17, 2006

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

RECIPIENT NAME(S)	RECIPIENT FAX NUMBER(S)	RECIPIENT TELEPHONE NUMBER(S)
Board of Patent Appeals and Interferences Attn: Dianne Maggard	(571) 273-0299	
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David R. Marsh	(202) 942-5068	982
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MESSAGE		

Re: Appeal No. 2004-1406; Conf. No. 4263

U.S. Patent Appln. Ser. No. 09/553,094 filed April 18, 2000

Title: Nucleic Acid Molecules and Other Molecules Associated with Plants

Inventors: Scott E. ANDERSEN *et al.*

Atty. Docket: 16517.272

Please see the attached Express Abandonment under 37 CFR § 1.138(a) for the above-identified application.

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